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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 MICHAEL BARRETT CASON,
12 Petitioner,
13 v.
14 LOUIS WILLIAMS, Warden,
15 Respondent.
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Case No.: 19cv0621-GPC (BGS)

**ORDER GRANTING SECOND IN
FORMA PAUPERIS APPLICATION**


17 On March 29, 2019, Petitioner, a federal prisoner proceeding pro se, filed a Petition
18 for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, along with an application to
19 proceed in forma pauperis. (ECF Nos. 1-2.) On April 9, 2019, the Court denied the in
20 forma pauperis application because Petitioner had not included an affidavit with a
21 statement of all assets showing an inability to pay the \$5.00 filing fee as required by
22 Southern District of California Local Rule 3.2. (ECF No. 3.) The Petition was dismissed
23 without prejudice to Petitioner to provide the Court with the required affidavit or pay the
24 filing fee on or before June 2, 2019. (Id.)

25 On August 3, 2019, Petitioner filed a Second Motion to proceed in forma pauperis.
26 (ECF No. 10.) Although the new application is untimely, the Court excuses the late filing
27 based on Petitioner's declaration regarding his efforts to timely renew his application. (See
28 ECF No. 10-1 at 6-8.)

1 Petitioner's affidavit indicates he has no funds available to pay the filing fee. (Id. at
2 2.) Accordingly, the Court **GRANTS** Petitioner's application to proceed in forma pauperis
3 and allows him to prosecute the above-referenced action without being required to prepay
4 fees or costs and without being required to post security.

5 **IT IS SO ORDERED.**

6 Dated: December 18, 2019

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8 Hon. Gonzalo P. Curiel
9 United States District Judge
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